

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- April 13, 1966

Appeal No. 8665 Government of Australia, appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on April 27, 1966.

EFFECTIVE DATE OF ORDER -- May 26, 1966

ORDERED:

That the appeal for permission to establish a chancery with roof structures in accordance with Section 3308 of the Zoning Regulations and to permit parking of two automobiles in front of the building at the northwest quadrant of Scott Circle, NW., lots 825, 807, 141, 800, 155, and 156, square 181, be granted.

From the record and the evidence adduced at the public hearing, the Board finds the following facts:

(1) The Board notes that permission to erect the chancery in the SP District and permission to park two automobiles in front of the building was previously granted in Appeal No. 8340 by Order dated September 28, 1965.

(2) In the same Appeal No. 8340, the Board granted permission to erect roof structures by Order dated December 16, 1965.

(3) Both of the above mentioned Orders expired before the appellant obtained the necessary permits.

(4) No objection to the granting of this appeal was registered at the public hearing.

OPINION:

The Board incorporates the Orders issued in Appeal No. 8340 dated September 28, 1965 and December 16, 1965, copies of which are attached. The Board concludes that the facts remain as they were on the dates of the previous Orders and the granting of this appeal is consistent with those Orders.

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- December 14, 1966

Appeal No. 8665 Government of Australia, appellant.

On motion duly made, seconded and unanimously carried, the following amended Order was entered at the meeting of the Board on December 14, 1966.

EFFECTIVE DATE OF ORDER -- Feb. 23, 1967

ORDERED:

That the appeal for permission to establish a chancery with roof structures and with variances to permit parking of two automobiles in front of the building, eliminate one loading berth and a reduction in required parking; at the northwest quadrant of Scott Circle, NW., lots 825,807,141,800,155 and 156, square 181, be granted.

From the record and evidence adduced at this hearing and previous hearings, the Board finds the following facts:

(1) This appeal was originally heard as case No. 8340 on September 22, 1965 as an appeal to construct a new chancery in the SP District, to permit a reduction of the amount of parking spaces by 22% from 60 required spaces to 47 spaces, to permit parking of two automobiles in front of the building, and for approval of roof structures.

(2) At the hearing the agents of the Australia Government requested a waiver of one off-street loading berth and presented justification for this amendment to the appeal. The principal justification was the small amount of truck traffic required to sustain the operations with the building once occupancy is completed.

(3) At the hearing appellants also stated that although they had appealed for a reduction in the number of parking spaces; they could by providing an attendant and using vaults meet the parking requirements. Technically, a variance is still required since use of vault parking spaces is subject to cancelation by the District of Columbia Public Space Committee.

(4) After the previous hearings, the Board issued two Orders which are made a part of this Order by reference. The first Order entered September 28, 1965 approved erection of a new chancery in the SP District and permitted parking of two automobiles in front of the building. The second Order approved the roof structures for the proposed building. Neither Order made reference to reduction of the required number of loading berths or parking spaces.

(5) On April 13, 1966 the Board heard appeal No. 8665 to reinstate the Orders issued in appeal No. 8340.

(6) On April 27, 1966 the Board issued an Order reinstating its earlier Order and again omitting any mention of the loading berth or parking space reduction.

(7) The Government of Australia proceeded to finalize its building plans, submitted same to the Department of License and Inspections and were unable to obtain a building permit because they did not comply with the strict requirements of the Zoning Regulations on loading berths and parking spaces and there was no record of the Board having granted the variances on these points.

(8) On December 14, 1966 agents of the Australia Government appeared before the Board to explain their predicament and ask the Board to modify Orders issued to date.

OPINION:

The Board is of the opinion that the variances sought are justified and that it was the Board's intent in appeal No. 8340 to grant the requested variances without exception. However, due to an oversight, the requested variances for loading berth and parking spaces were not covered in the earlier Orders on appeal No. 8340 or the appeal to reinstate 8665. Therefore, the Board amends its earlier Orders to cover these points and grant all the variances listed in the heading of this amended Order.